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5 IN THE UNITED STATES DISTRICT COURT  
6  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 PURNIMA MAHARAJ,

No. C 12-4317 SI

9 Plaintiff,

10 v.

**ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE**

11 BANK OF AMERICA, N.A.,

12 Defendant.

13 On August 23, 2012, defendant Bank of America filed a motion to dismiss and noticed the  
14 motion for a hearing on October 5, 2012. Plaintiff's opposition to the motion was due on September  
15 6, 2012. Plaintiff, who is represented by counsel, did not file an opposition, nor did plaintiff request an  
16 extension of time.

17 Accordingly, plaintiff is ORDERED TO SHOW CAUSE in writing no later than September 26,  
18 2012, why this case should not be dismissed without prejudice for failure to prosecute. See Fed. R. Civ.  
19 Proc. 41(b). If plaintiff responds to this Order and wishes to proceed with this lawsuit, the Court will  
20 set a new briefing schedule and hearing date on defendant's motion to dismiss. The October 5, 2012  
21 hearing date is VACATED.

22 **IT IS SO ORDERED.**

23  
24 Dated: September 17, 2012

  
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26 SUSAN ILLSTON  
27 United States District Judge  
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